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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92060348
Party	Defendant BuzzBox Beverages, Inc.
Correspondence Address	SHAUN M MURPHY SLOVAK BARON EMPEY MURPHY & PINKNEY LLP 1800 EAST TAHQUITZ CANYON WAY PALM SPRINGS, CA 92262 UNITED STATES murphy@sbemp.com, tala@sbemp.com
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Filer's Name	Shaun M. Murphy
Filer's e-mail	murphy@sbemp.com, fiorentine@sbemp.com
Signature	/Shaun M. Murphy/
Date	09/09/2016
Attachments	SMM Declaration ISO Response to OSC.pdf(120691 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE
THE TRADEMARK TRIAL AND APPEAL BOARD**

BuzzBallz, L.L.C.,

v.

Cancellation No. 92060348
Cancellation No. 92061050

BuzzBox Beverages, Inc.

To the Commissioner of Trademarks:

**DECLARATION OF SHAUN M. MURPHY IN SUPPORT OF RESPONDENT'S RESPONSE TO ORDER TO
SHOW CAUSE**

I, Shaun Murphy, declare under penalty of perjury under the laws of the State of California that the facts stated in this declaration are true. I am over the age of 18 years and I know the facts in this declaration to be true based on my own personal knowledge.

1. I am litigation counsel for Defendant BuzzBox Beverages, Inc. in this matter and all related matters pending before the Board and the United States District Court for the Central District of California. I am admitted to practice law before the state and federal courts in the states of Michigan, California, Texas, and New York and am admitted to practice before the United States Supreme Court.

2. Attached hereto as Exhibit "A" is a true and correct copy of an email exchange between me and Paul Beeler of Wilson Legal Group P.C. dated July 11 and 12, 2016. Exhibit A is the culmination of discussions we had following the verdict in the civil action between the parties.

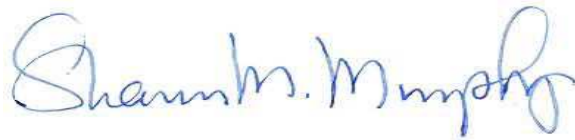
3. As indicated by the content of Exhibit A, the subject of the discussions was to negotiate a reasonable and appropriate phase-out period for BuzzBox

Beverages to sell off existing inventory. Exhibit A confirms the agreement reached by the parties.

Dated: September 9, 2016

SLOVAK BARON EMPEY MURPHY & PINKNEY LLP

By:



Shaun M. Murphy
Attorney for Registrant/Defendant BuzzBox
Beverages, Inc.

“EXHIBIT A”

Shaun Murphy

From: Paul Beeler <paul@wilsonlegallgroup.com>
Sent: Tuesday, July 12, 2016 8:56 AM
To: Shaun Murphy
Subject: RE: BuzzBallz

Shaun,

BuzzBallz is agreeable to phase-out through November 30, 2016. I will begin preparing a formal agreement to that effect, based upon our prior discussions, for your review and will include preliminary provisions for agreement to the new BuzzBox graphic so that we can incorporate it once finalized and approved. Thanks.

Regards,

Paul T. Beeler



WILSON LEGAL GROUP P.C.
Attorneys & Counselors at Law

PAUL T. BEELER
Assoc. Mem. of SBOT

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From: Shaun Murphy [mailto:murphy@sbemp.com]
Sent: Monday, July 11, 2016 4:01 PM
To: Paul Beeler <paul@wilsonlegallgroup.com>
Subject: BuzzBallz

Paul,

Just following up on my last email regarding phase out. At your convenience.



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PRINCETON SAN DIEGO

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing Declaration of Shaun M. Murphy in Support of Respondent's Response to Order to Show Cause has been served on Petitioner BuzzBallz, L.L.C.'s attorney of record, Mr. John T. Wilson, by mailing said copy on September 9, 2016 via First Class Mail, postage prepaid to John T. Wilson, Esq., Wilson Legal Group P.C., 16610 Dallas Parkway, Suite 1000, Dallas, Texas 75248.

By:



Shaun M. Murphy